FOR MYSORE STATE

Rev (1950) Department.

RLs. SERIES.

G.O. NO. 1001

Dated 31. 3. 50

[Despatch Abstract.]

Revenue Department
Subject.

LANDS - Transfer (Bellary)- Sandur State - Transfer of lands without the Consent of Government - Representation to the Ruler - Orders solicited.

Madras. Ref. F.5469/49-2. Dated 13-2-1950.

From

Sri N.C. Thomas, B.A., Joint Secretary,
Board of Revenue.

Sri V.N. Kudva, I.C.S., Commissioner of
Commercial Taxes.

Read: 1) From the Collector of Bellary, Ref.C.No.10811-A/49-S.1. dated 4-11-1949.

2) From the Collector of Bellary, Ref.C.No.10811-A/49-S.1. dated 2-1-1950.

Reference:

Submitted to Government.

2. The Board recommends to Government the confirmation of the sale as proposed by the Collector, after levying the difference between the actual value and sale value of the lands i.e. Rs.100/- and Rs.50/- respectively and to issue Ryotwari pattas to the parties concerned.

for Joint Secretary.

To,
The Secretary to Government,
Revenue Department, Fort St. George, Madras.
(with enclosures).

VSS.913.2.

Copy of Ref.C.No.10811A/49 S.1 dated 2x 2-1-50 from the Collector of Bellary to the Secretary, Board of Revenue.

Lands - Sandur - Huzur land Tenure Pattas violation of conditions - report.

Ref: Board's No.Ref.F.5469/49-1 dated 22-12-49. NC .

After the Inam Enquiry of 1937, under the Sandur Inam Regulations all the lands in the State were classified into three categories viz (i) Inam Tenure (2) Ryotwari Tenure and (3) Huzur Land Tenure.

All lands, vested in the ruler originally, until some lands were given in 1905 as Ryotwari Tenure. Other lands which originally vested in the ruler were parted with for various reasons as Inams.

Prior to 1937, there was no tenure such as "Huzur lands". During the Inam enquiry which concluded in 1937, all inams in the State were divided in two classess:-

i. Lands for which holders had valid titles.
and
ii. Lands for which holders had no valid titles.

Those lands for which there were no valid titles were resumed to Government and all of them were brought under new tenure called the "Huzur lands". These are really speaking resumed Inams. In the Madras Presidency the holder would have got the land on ryotwari patta. This practice was however not followed in the State. A special tenure, known as 'Huzur ~~xxx~~ land tenure' was created and rule 41 of the Inam regulations governs all these lands. These were regranted either to the Inamdar himself or to the ryot who was cultivating the land at the time of enquiry on payment of some 'Nazarana' fixed by Government. A patta was issued to the holders of these lands in the form given in Appendix (XII) to the Inam Regulations. The conditions attached to the patta contained the following amongst others:-

(1) the holdings will be heritable but not transferable without the consent of Government.

(2) If the Government required the land for any state purpose they reserved the right to resume the holding after giving one year's clear notice and paying him such compensation as Government deemed proper

(3) The holder of the land is prohibited from leasing it to any other person. In other works, absentee landlordism was tabooed.

Pattas were granted in many cases. There was a lot of agitation over this and finally in 1938, a royal Proclamation dated 12-11-38 was issued permitting conversion of Huzur lands to Ryotwari and Vice Versa on a payment of stamp duty calculated at Rs.10/- per acre of the land and Rs.5/- for any fraction thereof.

In this case, the holder of the Huzur lands sold it to others without the consent of the Government. On the representation of the parties the ruler of Sandur promised to validate the unauthorised sale by levying some penalty. leaving

It is thus, seen, that "Huzur Tenure lands" are neither Inams nor Ryotwari lands.

True Copy.

for Joint Secretary.

.P.14-2.

REVENUE DEPARTMENT.

From
Sri N.V. Sugavanam,
Collector, Bellary.

To
The Chief Secretary to
Government, Fort St.
George, M a d r as.

Through
The Secretary, Board of
Revenue, Chepauk,
M a d r a s.

Ref. C.No.10811-A/49 S1 dated 4-11-1949.

Sir,

Sub: Lands - Sandur State - Transfer of lands without the consent of the Government - Representation to the Ruler - Orders Solicited.

******

S.Nos. 37 and 126 of Yeshwantanagar village ~~were~~ are lands granted under the Huzur Land Tenure Patta,. According to Rule 41(1) of the Sandur Inams Regulation 1937, the holders of Huzur Land Tenure Patta lands cannot transfer them (lands) to others without the consent of the Government. The holder of the above two lands sold them to two residents of Yeshwantanagar for Rs.200/- and Rs.150/- respectively and actual possession of the lands was also given to the venders, all without the consent of the Government.

The question of issuing a ryotwar patta to the vendees was withheld by the previous regime on the ground that the transfer was a violation of Rule 41 of the Sandur Inams Regulation. The actual cost of the lands was reported to be Rs.300/- and 200/- respecgively.

During the Ruler's visit to Yeshwantanagar in the year 1948 (prior to 29.7.48) the parties represented orally for condonation and it is reported that the Ruler ordered verbally that the rules may be relaxed in the case levying some penalty for infringement. The Minister in charge followed the instructions and ordered that the sale of the lands may be recognised after collecting the difference in cost (Rs.100 and Re.50). Before the approval of the Government could be obtained the administration of the state was taken over and the matter is pending.

I submit that the recommendations of the Minister in charge may be carried out, the Ryotwari pattas issued to the parties concerned, as we have to ratify the action of the previous regime.

I enclose herewith the connected file of the Sandur Durbar for perusal and return with orders.

VK.6.11.

For Collector. 7-11-49

7/11.

Revenue Department.

(C.No.11227-M50) Read: From the Board of Revenue, Ref.F.No.5469/49-2 dated 13-2-50.

G.O.Ms.No. 1001 dated 31-3-50

In the circumstances reported the Govt. approve the proposal of the Board of Revenue to confirm the sale of the Huzur Land Tenure Patta lands comprised in S.Nos.37 and 126 of Yeshwantanagar village in Sandur, Bellary Dt., which was effected by the holder of the lands without obtaining the consent of the ex-Darbar as required in Rule 41(1) of the Sandur Inam Regulations, 1937, after collecting the difference between the actual value and the sale value of the lands, namely, Rs.100 in respect of S.No.37 and Rs.50 in respect of S.No.126. The Govt. also approve the proposal to issue ryotwari pattas to the vendees of the lands after confirmation of the sale.

To the Board of Revenue
" the Collr. of Bellary
" A.G. thro' Fin. Dept.

Note.

Public (Poll.) and Fin. may see for acceptance

The Draft above may be accepted and this dept. P.3 C.F. explains the need for the Draft

21.3.50

Fin (Accts)

The draft order on page 1 at 3a may be accepted

Fin w.o. 20790/Accts-
4.3.50.

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
27 MAR 1950
19902
REVENUE DEPARTMENT

Jt FS

The draft overleaf may now issue